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7 United States of America

8 UNITED STATES DISTRICT COURT

9 SOUTHERN DISTRICT OF CALIFORNIA

10 UNITED STATES OF AMERICA,

11 Plaintiff,

12 v.

13 \$959,333.87,

14 Defendant.

Case No. **'15CV1925 H RBB**

COMPLAINT FOR  
FORFEITURE

15  
16 By way of complaint against the defendant,  
17 \$959,333.87 ("959,333"), the United States of  
18 America alleges:

19 1. This Court has jurisdiction over this action by  
20 virtue of the provisions of Title 28, United States Code,  
21 Section 1355, and Title 21, United States Code,  
22 Section 881(a)(6), because the defendant \$959,333  
23 constitutes proceeds traceable to an exchange for  
24 controlled substances in violation of Chapter 13 of  
25 Title 21, United States Code.

26 2. This Court has jurisdiction over this action by  
27 virtue of the provisions of Title 28, United States Code,  
28 Section 1355, and Title 18, United States Code,

USAO:2013V00253:BCS/th

1 Section 981, because the defendant \$959,333 constitutes  
2 property involved in a transaction and series of  
3 transactions executed in furtherance of a money  
4 laundering conspiracy, in violation of Title 18, United  
5 States Code, Section 1956(h).

6 3. Venue is proper in this district pursuant to  
7 Title 28, United States Code, Section 1395 because the  
8 defendant \$959,333 was found and seized in this district.

9 4. On or about June 2, 2015, in the Southern  
10 District of California, agents of the Drug Enforcement  
11 Administration ("DEA") seized the defendant \$959,333  
12 pursuant to a seizure warrant issued by a U.S. Magistrate  
13 Judge in the Southern District of California. When  
14 seized, the defendant \$959,333 was in the form of a check  
15 issued by the escrow company and thereafter deposited  
16 into the U.S. Marshal seized asset account.

17 5. The defendant \$959,333 constitutes the net  
18 proceeds to seller from the sale, on or about May 29,  
19 2015, of the single family residence known as 3158 Via  
20 Viganello, Chula Vista, in the Southern District of  
21 California ("3158 Via Viganello").

22 A. The title holder and person who executed the  
23 deed transferring the property was Claudia Zazueta Huizar  
24 ("Zazueta Huizar").

25 B. The source of all funds used by Zazueta  
26 Huizar to acquire title to 3158 Via Viganello was Eduardo  
27 Diaz Garcia ("Diaz Garcia"), a career trafficker of  
28 controlled substances. The real property and its

1 subsequent sales proceeds therefore represented proceeds  
2 from the illegal sales and distribution of controlled  
3 substances in violation of Chapter 13 of Title 21, United  
4 States Code and subject to forfeiture to the United  
5 States pursuant to Title 21, United States Code,  
6 Section 881.

7         6. In January 2009, DEA agents based in the  
8 Southern District of California identified Diaz Garcia,  
9 a citizen of Mexico, as a person actively engaged in the  
10 distribution and sales of controlled substances in the  
11 Southern District of California and elsewhere.

12             A. During all times alleged herein, Zazueta  
13 Huizar and Diaz Garcia held themselves out and identified  
14 themselves as being married.

15         7. On July 28, 2010, in the Southern District of  
16 California, DEA Special Agents Dir and Swartz spoke with  
17 a cooperating individual ("CI") who had recently been  
18 convicted in the California State Superior Court of  
19 transporting large sums of drug sales proceeds in the  
20 form of U.S. currency.

21             A. The CI was familiar with individuals in  
22 leadership positions in a Sinaloa, Mexico-based drug  
23 trafficking organization "DTO."

24             B. The DTO was a criminal organization engaged  
25 in the international distribution and sales of  
26 controlled substances.

27             C. The DTO conducted phases of its  
28 international illegal drug distribution operations in,

1 among other places, the Mexicali, Baja California and  
2 Culiacan, Sinaloa regions of Mexico.

3 D. DEA Special Agents Dir and Swartz were  
4 familiar with some members of the DTO.

5 E. The CI told DEA Agents Dir and Swartz that  
6 Diaz Garcia was a member of the DTO, and that he  
7 distributed throughout the United States multiple  
8 kilograms of cocaine weekly. Cocaine is a Schedule II  
9 Controlled Substance.

10 F. The CI told DEA Agents Dir and Swartz that  
11 Diaz Garcia smuggled multiple kilogram amounts of cocaine  
12 into the United States from Mexico through the port of  
13 entry "POE") at Calexico in the Southern District of  
14 California, as well as the POE San Luis and POE  
15 Nogales, Arizona.

16 8. Diaz Garcia and his brother, Jose Diaz Garcia,  
17 were the principal members of a Sinaloa-based DTO  
18 organization that smuggled multi-kilogram quantities of  
19 cocaine and heroin into the United States from Mexico.  
20 Heroin is a Schedule I Controlled Substance.

21 A. One of Diaz Garcia's primary sources of  
22 supply for cocaine and heroin was Ricardo Sanz Kanagui,  
23 based in Mexicali, Mexico.

24 B. Jose Diaz Garcia coordinated with a host of  
25 smugglers to covertly introduce multiple kilogram amounts  
26 of cocaine and heroin into the United States from Mexico.

27 C. The smugglers who transported Diaz Garcia's  
28 cocaine and heroin would ultimately deliver it to Juan

1 Carlos Andrade and his associates in Central District  
2 of California.

3 D. Diaz Garcia and Eduardo Diaz Garcia oversaw  
4 and directed the smuggling, transportation, and  
5 distribution of cocaine and heroin.

6 9. In January 2013, DEA agents identified Diaz  
7 Garcia's residence as a luxury condominium located at 325  
8 Seventh Avenue, Unit 2003, San Diego, in the Southern  
9 District of California ("325 Seventh Avenue #2003").

10 10. DEA agents investigated 325 Seventh Avenue #2003  
11 and learned that on or about November 19, 2010, Zazueta  
12 Huizar purchased the condominium for approximately  
13 \$899,000.00 in cash.

14 11. DEA agents investigated the manner in which  
15 Zazueta Huizar funded the purchase of 325 Seventh  
16 Avenue #2003.

17 12. Beginning on a date unknown to the United  
18 States, and continuing up and including November 18,  
19 2010, and for the purpose of facilitating the purchase of  
20 325 Seventh Avenue #2003, Diaz Garcia and Zazueta Huizar  
21 did knowingly combine, conspire, and agree with other  
22 persons known and unknown to the United States to commit  
23 violations of Title 18, United States Code,  
24 Section 1956(h).

25 13. During the course of purchasing 325 Seventh  
26 Avenue #2003, Diaz Garcia, Zazueta Huizar, and others  
27 known and unknown to the United States knowingly  
28 conducted and attempted to conduct financial transactions

1 affecting interstate and foreign commerce, that is to  
2 execute and cause to be executed transfers of United  
3 States currency, which involved the proceeds of specified  
4 unlawful activity, that is, the illegal distribution of  
5 controlled substances, knowing that such transactions  
6 were designed in whole or in part to conceal and disguise  
7 the nature, location, source, ownership, and control of  
8 the proceeds of said specified unlawful activity, and  
9 that while conducting and attempting to conduct such  
10 financial transactions, knew that the property involved  
11 in the financial transactions represented the proceeds of  
12 some form of unlawful activity, in violation of Title 18,  
13 United States Code, Section 1956(a)(1)(B).

14 14. Between the dates of September 30, 2010 and  
15 November 18, 2010, a series of 10 wire transfers were  
16 deposited into the escrow account opened and maintained  
17 to facilitate the purchase of 325 Seventh Avenue #2003 by  
18 Zazueta Huizar.

19 A. On or about September 30, 2010, acting on  
20 instructions from Diaz Garcia, Frederico Ortega Lopez  
21 transferred or caused to be transferred \$27,000.00 into  
22 Zazueta Huizar's escrow account.

23 B. On or about October 22, 2010, acting on  
24 instruction from Diaz Garcia, Carlos Morales Gastelum  
25 ("Morales") transferred or caused to be transferred  
26 \$100,000.00 into Zazueta Huizar's escrow account.

27 C. On or about October 27, 2010, acting on  
28 instructions from Diaz Garcia, Morales transferred or

1 caused to be transferred \$100,000.00 into Zazueta  
2 Huizar's escrow account.

3 D. On or about October 29, 2010, acting on  
4 instruction from Diaz Garcia, Morales transferred or  
5 caused to be transferred \$100,000.00 into Zazueta  
6 Huizar's escrow account.

7 E. On or about November 9, 2010, acting on  
8 instructions from Diaz Garcia, Morales transferred or  
9 caused to be transferred \$195,000.00 into Zazueta  
10 Huizar's escrow account.

11 F. On or about November 10, 2010, acting on  
12 instructions from Diaz Garcia, Morales transferred or  
13 caused to be transferred \$150,000.00 into Zazueta  
14 Huizar's escrow account.

15 G. On or about November 12, 2010, acting on  
16 instructions from Diaz Garcia, Morales transferred or  
17 caused to be transferred \$100,000.00 into Zazueta  
18 Huizar's escrow account.

19 H. On or about November 17, 2010, acting on  
20 instructions from Diaz Garcia, Morales transferred or  
21 caused to be transferred \$60,000.00 into Zazueta Huizar's  
22 escrow account.

23 I. On or about November 18, 2010, acting on  
24 instructions from Diaz Garcia, Morales transferred or  
25 caused to be transferred \$70,000.00 into Zazueta Huizar's  
26 escrow account.

27 J. On or about November 18, 2010, acting on  
28 instructions from Diaz Garcia, Morales transferred or

1 caused to be transferred \$50,000.00 into Zazueta Huizar's  
2 escrow account.

3 K. A total of \$952,000.00 was wire transferred  
4 into Zazueta Huizar's escrow account by third parties  
5 acting in instructions from Diaz Garcia.

6 L. At the close of escrow, due to the excess  
7 amount of funds wired into escrow account, Zazueta Huizar  
8 received a refund of approximately \$45,762.57.

9 15. All of the funds wire-transferred into Zazueta  
10 Huizar's escrow account represented proceeds from the  
11 illegal sales and distribution of controlled substances  
12 by Diaz-Garcia and his criminal affiliates.

13 16. On or about November 15, 2010, Diaz Garcia and  
14 Zazueta Huizar signed and submitted to the escrow company  
15 handling the purchase of 325 Seventh Avenue #2003 a  
16 document entitled "Interspousal Transfer Grant  
17 Deed Instructions."

18 A. The signed and executed Interspousal  
19 Transfer Grant Deed Instructions document conveys, among  
20 other things, Diaz Garcia's consent that Zazueta Huizar  
21 may hold title to 325 Seventh Avenue #2003 as a married  
22 woman as her sole and separate property.

23 B. By recording title to 325 Seventh Avenue  
24 #2003 under Zazueta Huizar's name as her "sole and  
25 separate property", Diaz Garcia sought to conceal his  
26 interest in the property from law enforcement and to  
27 prevent its forfeiture to the United States.

28



1        17. On or about November 19, 2010, a grant deed was  
2 recorded for 325 Seventh Avenue #2003, reflecting Zazueta  
3 Huizar as the sole owner, holding title as a married  
4 woman as her sole and separate property.

5        18. On September 17, 2014, at the POE Calexico,  
6 California, Zazueta Huizar was interviewed by DEA Agents  
7 Borkowski and Castanon regarding the purchase in 2010 of  
8 325 Seventh Avenue #2003.

9            A. Zazueta Huizar stated she had not been  
10 employed since 2002.

11           B. In 2010, when Zazueta Huizar purchased 325  
12 Seventh Avenue #2003, she had no money in Mexico or in  
13 the United States.

14           C. Zazueta Huizar learned about the planned  
15 purchase of 325 Seventh Avenue #2003 when Diaz Garcia  
16 told her that he was buying a condominium in San Diego.

17           D. The DEA agents showed Zazueta Huizar  
18 documents memorializing and chronicling the series of  
19 wire transfers into the escrow account for the purchase  
20 of 325 Seventh Avenue #2003.

21           E. On September 30, 2010, Frederico Ortega Lopez  
22 transferred \$27,000.00 into Zazueta Huizar's escrow  
23 account. Zazueta Huizar told the DEA agents she did not  
24 know Frederico Ortega Lopez, nor did she give him money  
25 to transfer into her escrow account.

26           F. Zazueta Huizar stated the wire transfer  
27 executed by Frederico Ortega Lopez was made at the  
28 direction of Diaz Garcia.

1           G. On and between October 22, 2010 and November  
2 18, 2010, Morales, in a series of 9 wire transfers,  
3 deposited approximately \$925,000.00 into Zazueta Huizar's  
4 escrow account. Zazueta Huizar told the DEA agents she  
5 gave no money to Morales.

6           H. Zazueta Huizar stated the wire transfers  
7 executed by Morales were made at the direction of  
8 Diaz Garcia.

9           19. During the time he resided at 325 Seventh Avenue  
10 #2003, Diaz Garcia would use the condominium as a place  
11 to conduct and oversee his illegal drug smuggling,  
12 transportation, and distribution operation.

13           20. During December 2013 and January 2014, Diaz  
14 Garcia arranged for the delivery of multiple kilos of  
15 cocaine and heroin to Juan Carlos Andrade ("Andrade") in  
16 the Central District of California.

17           A. Andrade worked under the direction of Diaz  
18 Garcia as a principal distributor of cocaine and heroin  
19 in the Los Angeles, California area.

20           21. On or about January 20, 2014, investigating law  
21 enforcement agents knew that Diaz Garcia had recently  
22 delivered multiple kilograms of cocaine and heroin to  
23 Andrade in the Central District of California.

24           A. Based upon information gathered during law  
25 enforcement surveillance of Andrade, and information  
26 developed during the investigation of Diaz Garcia, law  
27 enforcement officers in the Central District of  
28 California obtained search warrants for 2 residences

1 associated with Andrade from a judge of the California  
2 State Superior Court.

3 B. On or about January 20, 2014, law  
4 enforcement officers executed a search warrant at a  
5 residence located in 4500 block of West 172<sup>nd</sup> Street,  
6 Lawndale in the Central District of California, and  
7 seized approximately 3 kilograms of cocaine, 2 pounds of  
8 white heroin, and a 9mm handgun registered to Andrade.

9 C. On or about January 20, 2014, law  
10 enforcement officers executed a search warrant at a  
11 residence located in 200 block of East 158<sup>th</sup> Street,  
12 Gardena in the Central District of California, and  
13 seized approximately 8 kilograms of cocaine and 4 pounds  
14 of white heroin.

15 22. On July 18, 2014, in the Central District of  
16 California, pursuant to an arrest warrant issued by a  
17 judge of the California State Superior Court, Andrade was  
18 arrested and taken into custody for, *inter alia*,  
19 violations of the Health and Safety Code pertaining to  
20 the sale and distribution of controlled substances.

21 A. Post arrest, Andrade told the arresting  
22 agents that since at least September 2013, he worked for  
23 Diaz Garcia distributing multiple kilograms of cocaine  
24 and heroin.

25 B. Andrade told the arresting agents that some  
26 of the cocaine and heroin distributed by Diaz Garcia was  
27 shipped to the State of Kentucky.

1 C. Andrade told the arresting agents that some  
2 of the cocaine and heroin distributed by Diaz Garcia was  
3 shipped to an individual in Canada.

4 D. Andrade told the arresting agents that on at  
5 least one occasion, in the Central District of  
6 California, Andrade received drug sales proceeds in the  
7 form of approximately \$200,000.00 in U.S. currency. Diaz  
8 Garcia instructed Andrade to transport the currency to a  
9 store in Calexico in the Southern District of California,  
10 and deliver it to an agent of Diaz Garcia.

11 E. Andrade told the arresting agents that in  
12 September 2013, he was instructed by Diaz Garcia to  
13 travel to Boston, Massachusetts and pick up drug sales  
14 proceeds in the form of approximately \$100,000.00.  
15 Andrade did as Diaz Garcia instructed. Andrade  
16 transported the \$100,000.00 in currency to the Central  
17 District of California, and delivered it to an agent of  
18 Diaz Garcia.

19 F. Andrade told the arresting agents that on at  
20 least one occasion, he was instructed by Diaz Garcia to  
21 travel to Providence, Rhode Island and pick up drug sales  
22 proceeds in the form of approximately \$150,000.00 in U.S.  
23 currency. Andrade did as Diaz Garcia instructed.  
24 Andrade was further instructed to transport the currency  
25 to a store in Calexico in the Southern District of  
26 California, and deliver it to an agent of Diaz Garcia.

27 G. Andrade told the arresting agents that on  
28 another occasion, he was instructed by Diaz Garcia to

1 travel to Providence, Rhode Island and pick up drug sales  
2 proceeds in the form of approximately \$200,000.00 in U.S.  
3 currency. Andrade did as Diaz Garcia instructed.  
4 Andrade was further instructed to transport the currency  
5 to a store in Calexico in the Southern District of  
6 California, and deliver it to an agent of Diaz Garcia.

7 H. Andrade told the arresting agents that on  
8 another occasion, he was instructed by Diaz Garcia to  
9 travel to New Jersey and pick up drug sales proceeds in  
10 the form of approximately \$109,000.00 in U.S. currency.  
11 Andrade did as Diaz Garcia instructed. Andrade was  
12 further instructed to transport the currency to a store  
13 in Calexico in the Southern District of California, and  
14 deliver it to an agent of Diaz Garcia. While  
15 transporting the currency to California, Andrade was  
16 stopped in Missouri by law enforcement, and the currency  
17 was seized for forfeiture.

18 23. During December 2013 and January 2014, Diaz  
19 Garcia coordinated the "laundering" of significant  
20 amounts of drug proceeds in the form of U.S. currency  
21 with Eduardo Enrique Larenas "Larenas."

22 A. Larenas purchased substantial quantities of  
23 cocaine and heroin from Diaz Garcia for distribution in  
24 the Eastern United States and Canada.

25 24. On or about November 8, 2013, Zazueta Huizar  
26 sold 325 Seventh Avenue #2003 for approximately  
27 \$900,000.00.

1           A. The net seller proceeds from the sale of 325  
2 Seventh Avenue #2003 paid to Zazueta Huizar was  
3 approximately \$716,481.94.

4           B. The purchase by Diaz Garcia and Zazueta  
5 Huizar of 325 Seventh Avenue #2003 was funded by proceeds  
6 from Diaz Garcia's sales and distribution of  
7 controlled substances.

8           C. The \$716,481.94 received by Zazueta Huizar  
9 at the close of escrow constituted proceeds from Diaz  
10 Garcia's sales and distribution of controlled substances.

11          25. On or about December 19, 2013, after selling 325  
12 Seventh Avenue #2003, Zazueta Huizar opened a residential  
13 real estate escrow account and deposited \$15,000.00  
14 into it.

15           A. The escrow account was created to facilitate  
16 the purchase by Zazueta Huizar of the single family  
17 residence known as 671 Via Maggiore, Chula Vista, in the  
18 Southern District of California ("671 Via Maggiore").

19           B. When Zazueta Huizar opened the escrow  
20 account for the purchase of 671 Via Maggiore, the  
21 property was listed for sale at a price of \$1,525,000.00.

22          26. Beginning on a date unknown to the United  
23 States, and continuing up and including January 22, 2014,  
24 and for the purpose of facilitating the purchase of 671  
25 Via Maggiore, Diaz Garcia and Zazueta Huizar did  
26 knowingly combine, conspire, and agree with other persons  
27 known and unknown to the United States to commit  
28

1 violations of Title 18, United States Code,  
2 Section 1956(h).

3 27. During the course of attempting to purchase 671  
4 Via Maggiore, Diaz Garcia, Zazueta Huizar, and others  
5 known and unknown to the United States knowingly  
6 conducted and attempted to conduct financial transactions  
7 affecting interstate and foreign commerce, that is to  
8 execute and cause to be executed transfers of United  
9 States currency, which involved the proceeds of specified  
10 unlawful activity, that is, the illegal distribution of  
11 controlled substances, knowing that such transactions  
12 were designed in whole or in part to conceal and disguise  
13 the nature, location, source, ownership, and control of  
14 the proceeds of said specified unlawful activity, and  
15 that while conducting and attempting to conduct such  
16 financial transactions, knew that the property involved  
17 in the financial transactions represented the proceeds of  
18 some form of unlawful activity, in violation of Title 18,  
19 United States Code, Section 1956(a)(1)(B).

20 A. Shortly after Zazueta Huizar opened the  
21 escrow account for the purchase of 671 Via Maggiore, Diaz  
22 Garcia began making arrangements for funds to be wire-  
23 transferred into the escrow account.

24 B. The funds Diaz Garcia made arrangements to  
25 wire-transfer into the escrow account constituted  
26 proceeds from his illegal cocaine and heroin  
27 distribution operation.

1 C. Diaz Garcia gave instructions to drug  
2 distributors and money launderers which whom he worked to  
3 deposit varying amounts of funds into the escrow account.

4 D. On or about January 7, 2014, from a location  
5 in Quebec, Canada, acting on instructions from Diaz  
6 Garcia, Larenas wire-transferred approximately \$49,980.00  
7 into the escrow account.

8 E. On or about January 7, 2014, from a location  
9 in Quebec, Canada, acting on instructions from Diaz  
10 Garcia, Larenas wire-transferred approximately \$50,000.00  
11 into the escrow account.

12 28. On or about January 22, 2014, the contract for  
13 the sale of 671 Via Maggiore to Zazueta Huizar was  
14 cancelled, and the escrow account was closed.

15 A. On January 23, 2014, the escrow company  
16 refunded \$675,027.74 to Zazueta Huizar.

17 B. On February 11, 2014, the escrow company  
18 refunded the \$50,000.00 wire transferred funds to the  
19 wire address of the original sender.

20 C. On February 14, 2014, the escrow company  
21 refunded the \$49,980.00 to the wire address of the  
22 original sender.

23 29. After their failed attempt to purchase 671 Via  
24 Maggiore, Diaz Garcia and Zazueta Huizar resolved to  
25 purchase the single family residence known as 3158 Via  
26 Viganello, Chula Vista, in the Southern District of  
27 California ("3158 Via Viganello").  
28



1           A. On or about January 18, 2014, Zazueta Huizar  
2 opened a residential real estate escrow account and  
3 deposited \$10,000.00 into it.

4           B. The \$10,000.00 deposited into the escrow  
5 account by Zazueta Huizar constituted proceeds from Diaz  
6 Garcia's sales and distribution of controlled substances.

7           C. The escrow account was created to facilitate  
8 the purchase by Zazueta Huizar of 3158 Via Viganello.

9           D. Zazueta Huizar ultimately purchased 3158 Via  
10 Viganello for cash at a price of \$1,110,950.00.

11           E. All of the funds used to purchase 3158 Via  
12 Viganello constituted proceeds from Diaz Garcia's sales  
13 and distribution of controlled substances.

14       30. Shortly after Zazueta Huizar opened the escrow  
15 account for the purchase of 3158 Via Viganello, Diaz  
16 Garcia began making arrangements for funds to be wire-  
17 transferred into the escrow account.

18           A. The funds Diaz Garcia made arrangements to  
19 wire-transfer into the escrow account constituted  
20 proceeds from his illegal cocaine and heroin  
21 distribution operation.

22       31. Beginning on a date unknown to the United  
23 States, and continuing up and including March 28, 2014,  
24 and for the purpose of facilitating the purchase of 3158  
25 Via Viganello, Diaz Garcia and Zazueta Huizar did  
26 knowingly combine, conspire, and agree with other persons  
27 known and unknown to the United States to commit  
28

1 violations of Title 18, United States Code,  
2 Section 1956(h).

3 32. During the course of purchasing 3158 Via  
4 Viganello, Diaz Garcia, Zazueta Huizar, and others known  
5 and unknown to the United States knowingly conducted and  
6 attempted to conduct financial transactions affecting  
7 interstate and foreign commerce, that is to execute and  
8 cause to be executed transfers of United States currency  
9 which involved the proceeds of specified unlawful  
10 activity, that is, the illegal distribution of controlled  
11 substances, knowing that such transactions were designed  
12 in whole or in part to conceal and disguise the nature,  
13 location, source, ownership, and control of the proceeds  
14 of said specified unlawful activity, and that while  
15 conducting and attempting to conduct such financial  
16 transactions, knew that the property involved in the  
17 financial transactions represented the proceeds of some  
18 form of unlawful activity, in violation of Title 18,  
19 United States Code, Section 1956(a)(1)(B).

20 33. Between the dates of January 18, 2014 and March  
21 28, 2014, a series of wire transfers, cash, and check  
22 deposits were made into Zazueta Huizar's personal  
23 bank account.

24 A. All of the funds wire-transferred and  
25 deposited into Zazueta Huizar's personal bank account  
26 during that period were made at the direction of Diaz  
27 Garcia, and all such funds constituted proceeds from the  
28 distribution of controlled substances by Diaz Garcia.

1        34. Between the dates of January 18, 2014 and March  
2 28, 2014, Zazueta Huizar and other persons made a series  
3 of wire transfers, cash, and check deposits into the  
4 escrow account opened and maintained to facilitate the  
5 purchase of 3158 Via Viganello by Zazueta Huizar. All of  
6 the funds deposited constituted proceeds from the  
7 distribution of controlled substances by Diaz Garcia.

8            A. On January 22, 2014, at the direction of  
9 Diaz Garcia, a company known as Forest Fibers SL in  
10 Barcelona, Spain wire-transferred \$49,970.00 into Zazueta  
11 Huizar's personal bank account.

12            B. On January 23, 2014, Ticor Title Company  
13 deposited \$675,027.24 into Zazueta Huizar's personal bank  
14 account. Those funds represent the refund to buyer from  
15 the failed purchase of 671 Via Maggiore.

16            C. On January 24, 2014, at the direction of  
17 Diaz Garcia, Maurice Cabessa, at Toronto Dominion Bank,  
18 wire-transferred or caused to be wire-transferred  
19 \$49,970.00 into Zazueta Huizar's personal bank account.

20            D. On January 30, 2014, Zazueta Huizar  
21 transferred or caused to be transferred \$720,000.00 from  
22 her personal bank account into the escrow account for  
23 3158 Via Viganello.

24            E. On February 3, 2014, at the direction of  
25 Diaz Garcia, Masum Quarashi, at Canadian Imperial Bank,  
26 wire-transferred or caused to be wire-transferred  
27 \$59,980.00 into Zazueta Huizar's personal bank account.

28

1 F. On February 4, 2014, at the direction of  
2 Diaz Garcia, Lim Kieng wire-transferred or caused to be  
3 wire-transferred \$99,975.00 into Zazueta Huizar's escrow  
4 account.

5 G. On February 6, 2014, Zazueta Huizar  
6 transferred or caused to be transferred \$76,000.00 from  
7 her personal bank account into the escrow account for  
8 3158 Via Viganello.

9 H. On February 12, 2014, at the direction of  
10 Diaz Garcia, a company known as Wall Street Finance, at  
11 Bank of Montreal, wire-transferred or caused to be wire-  
12 transferred \$15,535.00 into Zazueta Huizar's personal  
13 bank account.

14 I. On February 12, 2014, at the direction of  
15 Diaz Garcia, Mahbub Rahman delivered a check to Zazueta  
16 Huizar, made payable to her in the amount of \$10,000.00.  
17 Zazueta Huizar, in turn, deposited that check into her  
18 personal bank account.

19 J. On February 19, 2014, Zazueta Huizar  
20 deposited drug distribution proceeds generated by Diaz  
21 Garcia, in the form of \$8,000.00 in U.S. currency, into  
22 her personal bank account.

23 K. On February 21, 2014, at the direction of  
24 Diaz Garcia, Masum Quarashi, at Canadian Imperial Bank,  
25 wire-transferred or caused to be wire-transferred  
26 \$73,980.00 into Zazueta Huizar's personal bank account.

27 L. On February 24, 2014, Zazueta Huizar  
28 transferred or caused to be transferred \$100,000.00 from

1 her personal bank account into the escrow account for  
2 3158 Via Viganello.

3 M. On February 28, 2014, Zazueta Huizar  
4 deposited drug distribution proceeds generated by Diaz  
5 Garcia, in the form of \$9,000.00 in U.S. currency, into  
6 her personal bank account.

7 N. On February 28, 2014, Zazueta Huizar  
8 transferred or caused to be transferred \$20,000.00 from  
9 her personal bank account into the escrow account for  
10 3158 Via Viganello.

11 O. On March 7, 2014, Zazueta Huizar deposited  
12 drug distribution proceeds generated by Diaz Garcia, in  
13 the form of \$5,000.00 in U.S. currency, into her personal  
14 bank account.

15 P. On March 10, 2014, Zazueta Huizar deposited  
16 drug distribution proceeds generated by Diaz Garcia, in  
17 the form of \$3,000.00 in U.S. currency and a check made  
18 payable to Zazueta Huizar in the amount of \$5,970.00 by a  
19 company known as Worldtalk, located in Jackson Heights,  
20 New York into her personal bank account.

21 Q. On March 11, 2014, Zazueta Huizar deposited  
22 drug distribution proceeds generated by Diaz Garcia, in  
23 the form of \$3,830.00 in U.S. currency, and a check made  
24 payable to Zazueta Huizar in the amount of \$4,200.00 by a  
25 company known as Worldtalk, located in Jackson Heights,  
26 New York into her personal bank account.

27 R. On March 17, 2014, Zazueta Huizar deposited  
28 drug distribution proceeds generated by Diaz Garcia, in

1 the form of \$4,200.00 in U.S. currency, into her personal  
2 bank account.

3           S. On March 18, 2014, Zazueta Huizar  
4 transferred or caused to be transferred \$15,000.00 from  
5 her personal bank account into the escrow account for  
6 3158 Via Viganello.

7           T. On March 28, 2014, at the direction of Diaz  
8 Garcia, Lim Kieng wire-transferred or caused to be wire-  
9 transferred \$79,975.00 into Zazueta Huizar's  
10 escrow account.

11       35. On or about January 30, 2014, Diaz Garcia and  
12 Zazueta Huizar signed and submitted to the escrow company  
13 handling the purchase of 3158 Via Viganello a document  
14 entitled "Interspousal Transfer Grant Deed."

15           A. The signed and executed Interspousal  
16 Transfer Grant Deed document conveys, among other things,  
17 Diaz Garcia's consent that Zazueta Huizar may hold title  
18 to 3158 Via Viganello as a married woman as her sole and  
19 separate property.

20           B. By recording title to 3158 Via Viganello  
21 under Zazueta Huizar's name as her "sole and separate  
22 property", Diaz Garcia sought to conceal his interest in  
23 the property from law enforcement and to prevent its  
24 forfeiture to the United States.

25       36. On or about March 28, 2014, Zazueta Huizar  
26 completed the purchase of 3158 Via Viganello, and paid  
27 \$1,110,950.00 in cash.

1        37. On or about July 18, 2014, in the Southern  
2 District of California, Diaz Garcia was arrested by DEA  
3 agents, and booked into a San Diego County jail facility.

4            A. Diaz Garcia was charged before the  
5 California Superior Court, County of San Diego with  
6 violating, *inter alia*, Health and Safety Code  
7 Section 11352(a), sales of controlled substances.

8            B. Diaz Garcia pled guilty to violations of  
9 Health and Safety Code Section 11352(a), sales of  
10 controlled substances; and Penal Code Section 273a(a),  
11 child endangerment, both felonies.

12            C. On or about November 12, 2014, Diaz Garcia  
13 was sentenced to a term of custody in prison.

14        38. The DEA agents investigated Diaz Garcia from and  
15 during the years of 2009, through and until mid-2015.

16            A. Diaz Garcia was a career distributor of  
17 controlled substances.

18            B. During their investigation, the DEA agents  
19 detected no evidence that Diaz Garcia was engaged in any  
20 commercial or employment activities other than the  
21 smuggling and distribution of controlled substances.

22        39. On July 18, 2014, the day Diaz Garcia was  
23 arrested, the DEA agents interviewed Zazueta Huizar in  
24 her home.

25            A. Zazueta Huizar told the DEA agents that she  
26 and Diaz Garcia were married in 2002.

1           B. Zazueta Huizar said that after being married  
2 to Diaz Garcia for approximately a year, she realized  
3 Diaz Garcia was a drug trafficker.

4           C. Zazueta Huizar could not cite to or identify  
5 any other significant income sources for Diaz Garcia  
6 other than his income from drug trafficking.

7           40. On or about February 19, 2015, Zazueta Huizar  
8 accepted an offer to sell 3158 Via Viganello, and opened  
9 an escrow account.

10           41. On or about May 22, 2015, a U.S. Magistrate  
11 Judge in the Southern District of California issued a  
12 federal seizure warrant for the net seller proceeds from  
13 the sale of 3158 Via Viganello.

14           42. On or about May 29, 2015, the sale by Zazueta  
15 Huizar of 3158 Via Viganello was complete. A grant deed  
16 naming a new owner was recorded, and escrow was closed.

17           43. Acting under the authority of the federal  
18 seizure warrant, DEA agents seized the defendant  
19 \$959,333.87, in the form of a check payable to the U.S.  
20 Marshal Service.

21           A. The defendant \$959,333.87 constitutes the  
22 sum that would have otherwise been due and payable to  
23 Zazueta Huisar as net seller proceeds from the sale of  
24 3158 Via Viganello.

25           44. The defendant \$959,333.87 was seized for  
26 forfeiture to the United States.



Count 1

45. Paragraphs 1 through 44 are hereby incorporated herein as if alleged in full.

46. The defendant \$959,333.87 constitutes proceeds of or proceeds traceable to multiple exchanges for controlled substances, in violation of Chapter 13, Title 21, United States Code.

47. As a result of the foregoing, the defendant \$959,333.87 is liable to condemnation and to forfeiture to the United States for its use in accordance with Title 21, United States Code, Section 881(a)(6).

48. The defendant \$959,333.87 in currency is presently deposited within the jurisdiction of this Court.

Count 2

49. Paragraphs 1 through 44 are hereby incorporated herein as if alleged in full.

50. The defendant \$959,333.87 constitutes property involved in a transaction and series of transactions in furtherance of a money laundering conspiracy, in violation of Title 18, United States Code, Sections 1956(h) and 1956(a)(1)(B) and 1956(a)(2)(B).

51. As a result of the foregoing, the defendant \$959,333.87 is liable to condemnation and to forfeiture to the United States for its use in accordance with Title 18, United States Code, Section 981(a)(1)(A).

1        52. The defendant \$959,333.87 in currency is  
2 presently deposited within the jurisdiction of  
3 this Court.

4        WHEREFORE, the United States prays that due process  
5 issue to enforce the forfeiture of the defendant  
6 \$959,333.87 and that due notice be given to all  
7 interested parties to appear and show cause why said  
8 forfeiture should not be declared.

9        DATED: August 31, 2015

10                                LAURA E. DUFFY  
11                                United States Attorney  
12                                s/Bruce C. Smith  
13                                BRUCE C. SMITH  
14                                Assistant U.S. Attorney  
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